IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO 1414 OF 2006
IN
WRIT PETITION NO 2401 OF 1991

1. Vinodkumar Bhogilal Patni & Ano .. Petitioners

V/s.

1b. Chandenmal A. Mandlecha & Ors .. Respondents

Mr. Prafulla Shah for the Petitioners
Mr. R.M. Hardies i/b P.N. Joshi for Respondent Nos. 1A to 1H

CORAM : A.M. KHANWILKAR, J
DATE : 06th February, 2009.

P.C.:

1. Although this application is pending for almost 2 ½ years, no steps have been taken by the Respondents to file reply to counter the assertion made in this application. As the estate of deceased Respondent would otherwise be represented by the remaining Respondents, therefore in the interest of justice and more particularly, as the assertions made in the application of the Defendant have remained uncontroverted, application is made absolute in terms of Prayer Clauses 5(a) and 5(b) on condition that the Applicant shall pay cost quantified as Rs. 3000/- to the High Court Legal Services

Authority for showing this indulgence. Amount of costs be paid within two weeks from today. In addition, the Applicant to take steps to amend the writ petition in terms of this order within the same time. Failure to comply any of the above condition, Writ Petition to stand dismissed for non prosecution without further reference to the Court.

(A.M. KHANWILKAR, J)